

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----!  
FREDDY M. MOROCHO, !  
WALTER TACURE, on behalf of themselves !  
and others similarly situated, !

Plaintiffs, !

GEORGE C. KELLY, and NYACK !  
COLONIAL CAR WASH, INC., !

Defendants. !  
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Case No. 07 Civ. 2979  
(CLB) (MDF)

DECLARATION OF TIMOTHY WEIGEL

TIMOTHY WEIGEL hereby declares as follows:

1. I own 50% of Nyack Colonial Car Wash, Inc. ("Nyack Colonial"), a defendant in this matter. I understand that, even though discovery has already been completed between the plaintiffs and the defendants, the plaintiffs are attempting to amend the complaint and add new parties to this action, including me, Northvale Car Wash, Inc. ("Northvale"), a corporation of which I own 50%, and GT Car Wash, Inc. ("GT"), another corporation of which I own 50% with a different partner.

2. Northvale and GT are corporations run independently of Nyack Colonial and each other. The three corporations operate three different car washes, in three different locations in two different states. They do not share management. They do not share revenue. They do not share liabilities. They do not share employees. None of the plaintiffs in this action have ever worked for Northvale or GT, a fact I understand the plaintiffs themselves concede.

3. Moreover, I am not directly involved in the management of Nyack Colonial.

4. For these reasons, I ask that the plaintiffs' attempt to add me, Northvale and GT, among others, as parties to this action, be denied.

I declare under penalty of perjury that the foregoing is true and correct. Executed on  
April 1, 2008.

  
TIMOTHY WEIGEL